

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: March 16, 2005
Bulk Item: Yes X No

Division: Growth Management
Department: Planning
Staff Contact Person: K. Marlene Conaway

AGENDA ITEM WORDING: Approval for one Restrictive Covenant from Robert M. Clemmons to have one dwelling unit on contiguous lots described as Lots 4, 5, 33 & 34, Block 9, Amended Plat of Key Largo Park, Key Largo.

ITEM BACKGROUND: On February 9, 2005 the Planning Commission approved an allocation award for the applicant listed below provided the applicant's Restrictive Covenant is approved by the BOCC. Robert M. Clemmons submitted the Restrictive Covenant to Monroe County. The applicant is receiving one dwelling unit allocation award for the year ending July 13, 2005, has filed the document in accordance with Ordinance No. 47-1999.

PREVIOUS RELEVANT BOARD ACTION: On November 11, 1999, the BOCC adopted Ordinance No. 047-1999.

CONTRACT/AGREEMENT CHANGES: N/A.

STAFF RECOMMENDATION: Approval.

TOTAL COST: X

BUDGETED: Yes N/A No

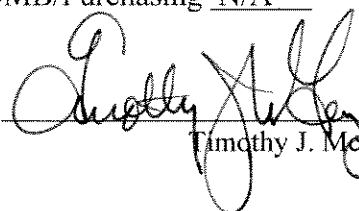
COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No **AMOUNT PER MONTH** N/A **Year**

APPROVED BY: County Atty X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:



Timothy J. McGarry, AICP

DOCUMENTATION: Included X Not Required

DISPOSITION:

AGENDA ITEM #

M E M O R A N D U M

TO:: Danny Kolhage, Clerk of the Court
FROM: Timothy J. McGarry, Growth Management Director 
DATE: March 16, 2005
RE: Clarification of Agenda Item

Restrictive Covenant

Permit Number	Name on Agenda Item	Name on Restrictive Covenant	Legal Description
03-3-2104	Robert M. Clemmons	Robert M. Clemmons	Lots 4, 5, 33 & 34, Block 9, Amended Plat of Key Largo Park, Key Largo

LOT AGGREGATION RESTRICTIVE COVENANT

1. Whereas, Robert M. Clemmons, a single man, the undersigned is the sole owner of the following described real property located in Monroe County, Florida described as follows:

Lot(s): 4, 5, 33 and 34 Block: 9

Subdivision: Amended Plat of Key Largo Park

Key: Largo PB: 3 - 62

Real Estate #(s): 00525390.000000, 00525380.000000, 00525090.000000 & 00525100.000000 and

2. **WHEREAS**, this Lot Aggregation Restrictive Covenant restricts the use of the legally described property in order to receive a building permit; and
3. **WHEREAS**, the above described parcel(s) was assigned additional points in the Permit Allocation System for building permit # 03-3-2104 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots.
4. **NOW, THEREFORE**, the undersigned agree as follows:
 - The above described parcel(s) shall have its density reduced from four dwelling units to one dwelling unit in consideration of a building permit to build a single-family residence; and
 - The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention of the undersigned by execution and recording of this document that this restriction shall run with the land and shall be forever binding upon the successors in title; and

- This covenant is intended to benefit and run in favor of the County of Monroe; and
- In the event of any breach or violation of the covenant contained herein, the said County may enforce the covenant by injunction or such other legal method, as the County deems appropriate.

EXECUTED ON THIS 11 day of July, 2003.

OWNER OR OWNERS

(Signature) Robert M. Clemmons

C455 77347 329-0
FHTDR

WITNESSES:

(Signature)

(Print/Type Name)

(Signature)

(Print/Type Name)

Sworn before me this 11th day of July, 2003 A.D.

Notary Public (Print Name)

Dale M. Kelleher
Commission # DD 035284
Expires June 20, 2005
Notary Public (Signature) Bonded Thru
My Commission Expires Atlantic Bonding Co., Inc.

This Instrument Prepared by:
Robert M. Clemmons
1 Tina Place
Key Largo, FL 33037

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Date: KLW 2.18.05